

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No.: 5804

Ferdinand Hermann BAHLMANN et al.

Date: November 26, 2007

Serial No.: 10/522,426

Group Art Unit: 1654

Filed: March 25, 2005

Examiner: Thomas Sweeney Heard

For: **USE OF ERYTHROPOIETIN**

VIA EFS-WEB

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO SEPTEMBER 17, 2007 OFFICE  
ACTION INCLUDING INFORMATION DISCLOSURE STATEMENT**

Sir:

This is a response to the Office Action mailed September 17, 2007 in the above-identified application. Reconsideration of the application is respectfully requested.

**FEE CALCULATION**

Any additional fee required has been calculated as follows:

\_\_\_\_\_ If checked, "Small Entity" status is claimed.

NO. CLAIMS		HIGHEST NO.				ADDIT.	
AFTER		PREVIOUSLY					
AMENDMENT		PAID FOR		EXTRA PRESENT		RATE	
						FEE	
TOTAL	64 MINUS	64	* =	0	X	(\$25 SE or \$50)	\$0
INDEP.	14 MINUS	14	** =	0	X	(\$105 SE or \$210)	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					X	(\$185 SE or \$370)	\$
* not less than 20 ** not less than 3							TOTAL \$ 0

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

### **CONTINGENT EXTENSION REQUEST**

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

### **SUMMARY OF AMENDMENTS**

1. \_\_\_\_ If checked, an abstract (an amended abstract) is submitted herewith.
2. \_\_\_\_ If checked, amendment(s) to the drawings are submitted herewith.
3. \_\_\_\_ If checked, amendment(s) to the specification are submitted herewith.
4. \_\_\_\_ If checked, amendment(s) to the claims are submitted herewith.